

HB 250 -- Missouri Ethics Commission

Sponsor: Jones (050)

This bill changes the laws regarding the regulation and practices of the Missouri Ethics Commission. In its main provisions the bill:

(1) Changes the filing deadline for commission filings under sections 105.483 to 105.492, RSMo, from a postmark not later than midnight of the day previous to the last day of the filing deadline to a postmark not later than midnight of the deadline date (105.487);

(2) Requires campaign finance disclosure reports to be filed in an electronic format as prescribed by the commission (105.955);

(3) Requires copies of ethics complaints to be given to the alleged violator within five days after their receipt by the commission. The bill repeals the provisions allowing the commission to dismiss a complaint for lack of probable cause (105.957);

(4) Requires the executive director to review any records related to the reports or statements that are required to be filed with the commission. If there are reasonable grounds to believe that a violation has occurred, an audit of the records must be conducted and a special investigator assigned (105.959);

(5) Changes from 120 days to 90 days the time a special investigator has to file a report with the commission after receipt of a complaint. If additional time is necessary to complete the investigation, the commission may allow the complaint investigation to proceed for additional successive periods of 90 days (105.961);

(6) Allows the determinations made by the commission that violations have occurred, other than referrals for criminal prosecution, to be appealed de novo in the circuit court of Cole County (105.961);

(7) Allows the executive director to send notices of failure to file by regular mail and other means instead of using registered mail. The commission is allowed to collect late filing fees by filing a certified statement of account in the circuit court of Cole County which will have the same effect as a judgment of the court. The commission or any entity contracted by the commission may collect the judgment in any manner authorized by law, including garnishment and execution to retrieve money from a committee's official depository account. Lobbyists required to file an expenditure report, individuals required to file a financial

statement, and a candidate or treasurer of a committee required to file a disclosure statement may appeal the assessment of a late filing fee with the commission (105.963);

(8) Repeals the provisions that allow extra time for an investigation when they are assigned to a retired judge and allow the commission to seek extra time to complete an investigation (105.966); and

(9) Repeals the provisions found in SB 844 as enacted by the ninety-fifth general assembly second regular session that were struck down as unconstitutional by the Missouri Supreme Court so that all changes to the law apply only to currently enforceable statutes.